

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
vs.
LUKE JOHN SCOTT, SR.,
Defendant.

Cause No. CR 19-29-GF-BMM
(9th Cir. No. 21-30128)
CR 19-30-GF-BMM
(9th Cir. No. 21-30129)

ORDER

Judgment was entered in these matters on May 4, 2021. Scott's appeals are pending before the Ninth Circuit Court of Appeals. In each case, Scott moves for recusal.

Filing a notice of appeal divests the district court of jurisdiction over "those aspects of the case involved in the appeal." *United States v. Najjar*, 255 F.3d 979, 983 (9th Cir. 2001) (citing *United States v. Ortega-Lopez*, 988 F.2d 70, 72 (9th Cir. 1993)). The central issue in the appeal is whether this Court's judgments should stand. Scott's recusal motions question whether the judgments were fairly entered. This Court lacks jurisdiction to consider Scott's recusal motions.

Accordingly, IT IS ORDERED that Scott's motions to recuse (Docs. 505, 430) are DISMISSED for lack of jurisdiction.

DATED this 27th day of October, 2021.



Brian Morris, Chief District Judge
United States District Court